

RESOLUTION NO. 2020-_____

**A RESOLUTION WAIVING NON-COMPLIANCE WITH THE STATEMENT OF
BENEFITS RELATING TO WORLD ARTS, INC.**

WHEREAS, the Spencer Town Board (hereinafter “Designating Body”) granted to World Arts, Inc. (hereinafter “World Arts”) a real and personal property tax abatement pursuant to IC 6-1.1-12.1 *et seq.* on the 17th day of September, 2018 by Resolution 2018-11; and,

WHEREAS, the Designating Body amended the Exhibits “D” and “E” under said Resolution 2018-11 by Resolution 2018-13 on the 1st day of October, 2018; and,

WHEREAS, World Arts filed its forms CF-1/PP and CF-1/Real Property with the Designating Body on or about the 1st day of June, 2020; and,

WHEREAS, the filing deadline is normally the 15th day of May, 2020; however, pursuant to the Governors Executive Order 20-23 that deadline was extended to June 15, 2020; and,

WHEREAS, these forms must be updated and filed each year in which the deduction is applicable; and,

WHEREAS, World Arts was not in substantial compliance with the Statement of Benefits; therefore, the Designating Body set the matter for public hearing on the 24th day of June 2020 at 5:00 p.m. at the Spencer Municipal Building for the purpose of further consideration of the owner’s compliance with the Statement of Benefits and to determine whether any failure to comply was caused by factors beyond the control of the property owner; and,

WHEREAS, proper notice was given to the owner pursuant to the provisions of IC 6-1.1-12.1-5.9 and a copy is attached hereto, made a part hereof, and marked as Exhibit “A”, the notice of public hearing has been properly published, proof of publication attached hereto, made a part hereof, and marked as Exhibit “B”, and a public hearing was conducted at which time all persons interested in the proceedings were given a chance to be heard.

NOW THEREFORE BE IT RESOLVED, by the Spencer Town Council as follows:

1. The Designating Body finds that World Arts has performed the necessary improvements upon the real estate and installed the manufacturing equipment pursuant to the terms of the tax abatement.
2. The Designating Body finds that the only non-compliant factor presented is the number of employees retained and/or hired during the term, which is not in accordance with the original Statement of Benefits.
3. The Designating Body finds that World Arts has submitted evidence that the COVID-19 pandemic has resulted in reduced demand for products and services than originally

anticipated and it was only able to sustain its current operations with the federal assistance programs provided because of the COVID-19 environment.

4. The Designating Body now finds that the circumstances surrounding the non-compliance issues were caused by factors beyond the control of World Arts and; therefore, waives any non-compliance issues.
5. The Designating Body will review the annual CF-1/PP and CF-1/Real Property forms at the next annual reporting period and will expect an update on the hiring, with a goal of achieving the anticipated employment criteria within two (2) years.
6. The Spencer Town-Clerk Treasurer is directed to provide a copy of this Resolution to the property owner, the Owen County Auditor, and the Department of Local Government Finance.

DULY RESOLVED AND ADOPTED this ____ day of _____, 2020 by the Town Council of the Town of Spencer, Owen County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

SPENCER TOWN COUNCIL:

Michael Spinks, President

Dean Bruce, Town Board Member

Jon Stantz, Town Board Member

ATTEST: _____
Cheryl Moke, Spencer Town Clerk/Treasurer